

## 1 SENATE BILL NO. 44

2 INTRODUCED BY J. O'NEIL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
5 AMENDMENT TO ARTICLE X, SECTION 1, OF THE MONTANA CONSTITUTION TO REMOVE THE  
6 PROVISION GUARANTEEING EQUALITY OF EDUCATIONAL OPPORTUNITY TO EACH PERSON OF THE  
7 STATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Article X, section 1, of The Constitution of the State of Montana is amended to read:

12 **"Section 1. Educational goals and duties.** (1) It is the goal of the people to establish a system of  
13 education which will develop the full educational potential of each person. ~~Equality of educational opportunity~~  
14 ~~is guaranteed to each person of the state.~~

15 (2) The state recognizes the distinct and unique cultural heritage of the American Indians and is  
16 committed in its educational goals to the preservation of their cultural integrity.

17 (3) The legislature shall provide a basic system of free quality public elementary and secondary schools.  
18 The legislature may provide such other educational institutions, public libraries, and educational programs as  
19 it deems desirable. It shall fund and distribute in an equitable manner to the school districts the state's share of  
20 the cost of the basic elementary and secondary school system."

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22 NEW SECTION. **Section 2. Effective date.** This act is effective upon approval by the electorate.

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24 NEW SECTION. **Section 3. Submission to electorate.** This amendment shall be submitted to the  
25 qualified electors of Montana at the general election to be held in November 2004 by printing on the ballot the  
26 full title of this act and the following:

27  FOR removing the provision guaranteeing equality of educational opportunity to each person  
28 of the state.

29  AGAINST removing the provision guaranteeing equality of educational opportunity to each  
30 person of the state.

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